Sl. No. 166

1937-40 **File No.** 550/36-II

A CLASS P. W. DEPARTMENT
E BRANCH

Subject:— Pension.

Revision of — on account of amendment.
of B.C.S.R. 279 A

V

H K. 1940

E

File No. 550/36-II

Ltd. Scott Slip. 24 A

G R., G D., No. 2408, dated 22-6-22.]

Correspondence

DOCKET SHEET (B)

Subject :—

File No. 550/36-II

T. & W. DEPT.

Lo. BRANCH.

References :—

Date.	To whom sent.	Notes and instructions.

FINANCE DEPARTMENT.

Bombay Castle, 20th March 1939.

No.8003-C.- In exercise of the powers conferred by sub-section (2) of section 241 of the Government of India Act, 1935, the Governor of Bombay is pleased to direct that the following amendments shall be made in the Bombay Civil Services Rules, Volume I:-

Page 83, Rule 279-A-

(i) Substitute the following for the second provison in this rule:-

"Provided further that the amount of pension of a Government servant subject to these rules whose services are merely lent for a time to the Government of India or who is transferred temporarily to an establishment which is administered by the Government of Bombay as agents of the Government of India shall, in respect of his whole service, be calculated in accordance with these rules.

"Provided also that the amount of pension of a Government servant who is recruited for and employed on an establishment which is administered by the Government of Bombay as agents of the Government of India and the cost of which is either charged directly to the Central Government or recovered from that Government shall, in respect of his whole service on such establishment, be calculated -

(a) in accordance with these rules, if he was continuously in the service of Government from a date prior to the 1st April 1937; otherwise

(b) in accordance with the rules of the Central Government".

(ii)Substitute the following for Note 2 below this rule:-

"Note 2.- In cases falling under the second provision and under clause (a) of the third provision to....

to this rule, the amount of pension calculated in accordance with these rules will be allocated between the Government of Bombay and the Central Government accordance with the provisions of Article 190 of the udit Volume I."

(iii) Insert the following Note 3 below this rule;"

-: "Note 3.- Cases of Government servants who, prior to the April 1921, served in the Irrigation Department and whose was partly or wholly debited to the Central Revenues should dealt with under the second provision to this rule."

And the said rule shall have effect and be deemed always to had effect as if it had been made as so amended.

By order of the Governor of Bombay

Sd/- H. V. R. Iengar,
Secretary to Government.

Copy forwarded for information andguidance to
The Accountant General,
*The Prothonotary and Senior Master, His Majesty's High Court, Bombay,
*The Registar of His Majesty's High Court of Judicial Appellate Side, Bombay,
*All other Head of Offices under the several Departments of the Secretariat,
All Departments of the Secretariat,
*The Government of India.

*By letter.

550/36

P. W. Deptt.

E.B.

Submitted.

2. The question of amending the B.C.S.R. 279 A was under the consideration of Government. for

Some.....

some years. Under this rule, the persons who had served in the Irrign. Deptt. prior to the 1-4-21 got less pension under certain circumstances than those who served in the R & B. branch. In view of the Note 3 as inserted by G.N.,F.D., No.8003, -C dated the 20-3-39, the hardship involved has been removed. As the amendment takes effect from the 1-6-29, the date from which the pension rules in the B.C.S.Rs. were introduced it is necy. to revise the pensions sanctioned under the old B.C.S.R. 279-A. The A.G. had therefore requested the F.D. to issue the necy. instructions to the local officers to revise the pensions already sanctioned some days after the issue of the notification the F.D. requested this Deptt. u.o. to issue the requisitite instructions. This Deptt. has agreed to issue the requisite instructions and the F.D. papers have been returned to that Deptt. in June last.

3. The drafts put up may issue, if approved. As Sind was a part of the Bombay Province till the 1-4-36, the Govt. of Sind may also be addressed.

4. The papers may be refd. u.o. to the A.G., Bombay, & the F.D. before issue.

5. The question whether it is necy. to revise the pensions sanctioned to the pereons who have retired is being examined, so far as this office is concerned.

Id/-
22-8-39

Id/-
25-8

x Pages 82-83 of the B.S.S.Rs Manual, Vol II.

As the proportionate charge was debitable to the central Govt. the pension was calculated under which the offg. pay did not count for pension.

(x) F.D. file No.8003. These papers have not been returned to F.D. They have been sent on to R.D & A.G.

X The cases of pensons who retired from the office of the C.A. to Govt. will also be examined.

550/36

No.550/36.E.

P.W.D.,B.C., 30th Sept. 1939.

Memo.

Subject:- Revision of pension on account of amendment of the B.C.S.R.279-A.

The attention of -

the S.E., N.C.

the S.E.,C.C.

the S.E., D.I.C.

the S.E., S.D.

the Elec.Engr. to Govt.

the Con.P.H.Engr. to Govt.

the Ex.Engrs. of Dns.

is invited to the G.N. (F.D.) No.8003-C, dated the 20-3-39, printed on pp. 430-431 of Part IV-A of the B.G.G., dated the 23-3-39, amending B.C.S.R. 279-A. In accordance with Note 3 as inserted by the G.N.refd. to above, the cases of Govt. servants who, prior to the 1-4-21, served in the Irrign. Deptt. and whose pay was partly or wholly debited to the Central Revenue is to be dealt with under the second proviso of B.C.S.R. 279-A. The above amendment takes effect from the 1-6-29, the date from which the pension rules in the B.C.S.Rs. were introduced. It is therefore necy. to revise the pensions sanctioned under the old B.C.S.R.279-A to persons who retired on and after the 1-6-29. The local officers are therefore requested to arrange to sanction revised pensions to the Govt. servants concerned who have retired from their own charges or the charges amalgamated with theirs in consultation with the A.G., Bombay. any cases where penions have been sanctioned by Govt. should however be submitted to Govt. through the A.G., Bombay, with the requisite pension papers.

By order of the Govt. of Bombay,

Copy forwarded to-

the F.D.

the A.G., Bombay (thro the F.D.)

~r information.

Id/-

24-8-39

Id/-

15-8 Id/-

26-8

Issued

. . 30-8 .

U.O. ro A.G. & F.D.Q 30th Aug 1939. .

No. 550/36. E.

Public Works Department.

Bombay Castle, 30th September 1939.

Memorandum.

Subject:- Revision of pensionm on account of amendment of the Bombay Civil Services Rule 279-A.

The attention of -

the Superintending Engineer, Northern Circle.
the Superintending Engineer, Central Circle
the Superintending Engineer, Deccaan Irrigation Circle
the Superintending Engineer, Southern Circle.
the Electrical Engineer, to Government
the Consulting Public Health Engineer to Government
the Executive Engineers of Divisions

is invited to the Government Notification (Finance Department) No. 8003-C, dated the 20th March 1939, printed on pages 430-431 of Part IV-A of the Bombay Government Gazette, dated the 23rd March 1939, amending Bombay Civil Service Rule 279-A. In accordance with Note 3 as inserted by the Government Notification referred to above, the cases of Government servants who, prior to the 1st April 1921, served in the Irrigation Department and whose pay was partly or wholly debited to the Central Revenues is to be dealth with under the second provisom of Bombay Civil Services Rule 279-A. The above amendment takes effect from the 1st June 1929, the date from which the pension rules in the Bombay Civil Services Rules were introduced. It is therefore necessary to revise ithe pensions sanctioned under the old Bombay Civil Services Rule 279-A to persons who retired on and after the 1st June 1929. The local officers are therefore requested to arrange to sanction revised pensions to the Government servants concerned who have retired from their own charges or the charges amalgmated with theirs in consultation with the Accounhtant-----

...countant General, Bombay. Any cases where pensions have been sanctioned by Government; should, however, be submitted to Government through the Accountant General, Bombay with the requisitire pension papers.

By order of the Governor of Bombay,

Sd/-R. H. MAHMETT. O. C.

Deputy Secretary to the Government of Bombay, Public Works Department.

D.A. Nil.

Copy forwarded to -

the Finance Department,

the Accountant General, Bombay (through the Finance Department),

for information.

No. 346/E.

Public Works Department.

Karachi, 5th March 1940.

Subject:- Revision of pension on account of amendment of the Bombay Civil Services Rule 279/A.

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MEMORANDUM:

The attention of the -

Superintending Engineers of Circles,

Special Road Engineer in Sind,

Mechanical Engineer in Sind,

Executive Engineer, Development & Research Division,

Electrical Advisor to Government and Electrical Inspector in Sind.

is invited to Government (F.D.) Resolution No.695-B, dated the 6th April 1939, as subsequently corrected by Government (F.D.) Resolution No.695/B, dated the 17th October 1939, amending Bombay Civil Services Rule 279/A. In accordance with note 3 as inserted by the Government Resolutions referred to, the case of Government servants who prior to the 1st April 1921, served in the Irrigation Department, ans whose pay was partly or wholly debited to the Central Revenues, is to be dealt with under the second proviso of Bombay Civil Services Rule 279/A, The above amendment takes effect from 1st June 1929, the date from which the pension rules in the Bombay Civil Services Rules were introduced. It is therefore necessary to revise the pensions sanctioned under the old Bombay Civil Services Rule 279/A to persons who retired on and after the 1st June 1929. The local officers are therefor requested to arrange to revise pensions to the Government servants concerned who retired from their own charges or the charges amalgamated with theirs in consultation with the Accountant General, Bombay, in respect of Comptroller, Sind, Karachi,

pension.....

pension cases disposed of during ~~xxxxxxx~~
1st June 1929 to 30th November 1933. Any
1st December 1933 to 31st March 1936
cases, where pensions have been sanctioned by the
Government of Bombay should, however, be submitted
to that Government through this Department and the Accountant General Bombay, or the Comptroller, Sind - as the case may be,
with requisite pension papers.

By order of His Excellency the Governor,

Sd/-
Deputy Secretary to Government,
Public Works Department.
Id/-

Id/-

Copy forwarded to -
the Finance Department,
the Accountant General Bombay, } through
the Comptroller, Sind } the Finance Department.

2. With reference to paragraph 2 of his Memorandum No. ~~xx~~ P.N.4-6/2322, dated the 18th January 1940, the Comptroller, is informed, that his presumption that consurrence of the Government of India which appears to have been obtained by the Government of Bombay, holds good in the case of Sind Government also, is confirmed.

** Copy forwarded, with compliments, to the Secretary to the Government of Bombay, Public Works Department, Bombay with reference to his letter No.550/36/E, dated the 2nd October 1939.

** Separately addressed by letter.

Apn
2-6-'56.

NVarsekar
3.7.56